

review by the Commissioner of Patents, the respective rights of the Government and of the inventor in and to any invention made by an employee of the Department.

(b) On the basis of the foregoing determination, the General Counsel shall determine whether patent protection will be sought by the Department for such an invention.

(c) The General Counsel will prepare and furnish to the Patent Office the reports required by the regulations of that Office and will serve as the liaison officer between the Department and the Commissioner of Patents.

§ 7.5 Responsibilities of employees.

All employees are required to report to the heads of their bureaus or offices any result of research, development, or other activity on their part which may constitute an invention and the circumstances under which this possible invention came into being.

§ 7.6 Effect of awards.

The acceptance by an employee of a cash award for performance which constitutes an invention shall, in accordance with 5 U.S.C. 4502(c), constitute an agreement that the use by the Government of the idea, method, or device for which the award is made does not form the basis of any further claim against the Government by the employee, his heirs or assigns.

§ 7.7 Appeals.

(a) Any employee who is aggrieved by a determination made by the head of his bureau or office under this part may obtain a review of the determination by filing an appeal with the General Counsel within 30 days after receiving the notice of the determination complained of.

(b) Any employee who is aggrieved by a determination made by the General Counsel under this part may obtain a review of the determination by filing a written appeal with the Commissioner of Patents within 30 days after receiving notice of the determination complained of, or within such longer period as the Commissioner may provide. The appeal to the Commissioner shall be processed in accordance with the provisions in the regulations of the Patent

Office for an appeal from an agency determination.

§ 7.8 Delegation.

The heads of bureaus or offices and the General Counsel may delegate, as appropriate, the performance of the responsibilities assigned to them under this part.

PART 8—PRACTICE BEFORE THE BUREAU OF ALCOHOL, TOBACCO AND FIREARMS

Subpart A—General Requirements

Sec.

- 8.1 Scope.
- 8.2 Persons who may practice.
- 8.3 Conference and practice requirements.
- 8.4 Director of Practice.
- 8.5 Records.
- 8.6 Special orders.

Subpart B—Definitions

- 8.11 Meaning of terms.

Subpart C—Enrollment Procedures

- 8.21 Eligibility for enrollment.
- 8.22 Application for enrollment.
- 8.23 Denial of enrollment; appeal.
- 8.24 Enrollment cards.
- 8.25 Renewal of enrollment card.
- 8.26 Change in enrollment.
- 8.27 Enrollment registers.
- 8.28 Termination of enrollment.
- 8.29 Limited practice without enrollment.

Subpart D—Duties and Restrictions Relating to Practice

- 8.31 Furnishing of information.
- 8.32 Prompt disposition of pending matters.
- 8.33 Accuracy.
- 8.34 Knowledge of client's omission.
- 8.35 Assistance from disbarred or suspended persons and former Treasury employees.
- 8.36 Practice by partners of Government employees.
- 8.37 Practice by former Government employees.
- 8.38 Notaries.
- 8.39 Fees.
- 8.40 Conflicting interests.
- 8.41 Solicitation.
- 8.42 Practice of law.

Subpart E—Disciplinary Proceedings

- 8.51 Authority to disbar or suspend.
- 8.52 Disreputable conduct.
- 8.53 Initiation of disciplinary proceedings.
- 8.54 Conferences.

§ 8.1

- 8.55 Contents of complaint.
- 8.56 Service of complaint and other papers.
- 8.57 Answer.
- 8.58 Supplemental charges.
- 8.59 Proof; variance; amendment of pleadings.
- 8.60 Motions and requests.
- 8.61 Representation.
- 8.62 Administrative Law Judge.
- 8.63 Hearings.
- 8.64 Evidence.
- 8.65 Depositions.
- 8.66 Transcript.
- 8.67 Proposed findings and conclusions.
- 8.68 Decision of Administrative Law Judge.
- 8.69 Appeal to the Secretary.
- 8.70 Decision of the Secretary.
- 8.71 Effect of disbarment or suspension.
- 8.72 Petition for reinstatement.

AUTHORITY: Sec. 3, 23 Stat. 258 (31 U.S.C. 1026); 5 U.S.C. 301, 500, 551-559; and Reorganization Plan No. 26 of 1950, 15 FR 4935, 64 Stat. 1280, as amended.

SOURCE: 42 FR 33026, June 29, 1977, unless otherwise noted.

Subpart A—General Requirements

§ 8.1 Scope.

This part contains rules governing the recognition of attorneys, certified public accountants, enrolled practitioners, and other persons representing clients before the Bureau of Alcohol, Tobacco and Firearms.

§ 8.2 Persons who may practice.

(a) *Attorneys.* Any attorney who is not currently under suspension or disbarment from practice before the Bureau of Alcohol, Tobacco and Firearms, may practice before the Bureau upon filing a written declaration with the Bureau, that he or she is currently qualified as an attorney and is authorized to represent the particular party on whose behalf he or she acts.

(b) *Certified public accountants.* Any certified public accountant who is not currently under suspension or disbarment before the Bureau of Alcohol, Tobacco and Firearms, may practice before the Bureau upon filing a written declaration with the Bureau, that he or she is currently qualified as a certified public accountant and is authorized to represent the particular party on whose behalf he or she acts.

(c) *Enrollment practitioners.* Any person enrolled as a practitioner under the provisions of subpart C of this part and

31 CFR Subtitle A (7-1-05 Edition)

who is not under suspension or disbarment from enrollment may practice before the Bureau.

(d) *Limited practitioners.* Any person qualified for limited practice without enrollment under the provisions of § 8.29 may practice before the Bureau.

(e) *Restrictions on Government officers and employees.* Any officer or employee of the United States in the executive, legislative, or judicial branch of the Government, or in any agency of the United States, including the District of Columbia, who is otherwise eligible to practice under the provisions of this part, may represent parties before the Bureau when doing so in the conduct of his or her official duties. A Government officer or employee may not otherwise practice before the Bureau except that, subject to the requirements of 18 U.S.C. 205, he or she may represent a member of his or her immediate family or a person or estate for which he or she serves as guardian, executor, administrator, trustee or other personal fiduciary. Member of Congress or Resident Commissioners (elect or serving) may not practice before the Bureau in connection with any matter for which they directly or indirectly seek any compensation.

(f) *Restrictions on State officers and employees.* No officer or employee of any State, or subdivision thereof, whose official responsibilities require him or her to pass upon, investigate, or deal with any State law or regulation concerning alcohol, tobacco, firearms, explosives matters or wagering, may practice before the Bureau if his or her official responsibility may disclose pertinent facts or information relating to matters administered by the Bureau.

(g) *Customhouse brokers.* Customhouse brokers, licensed by the Commissioner of Customs according to 19 CFR part 111, may represent a party for whom they have acted as a customhouse broker before the Bureau with respect to matters relating to the importation